



**Notice of Request for Section 401 Water Quality Certification Action - Bureau of Water Quality Planning**

**Web Posting: 1/8/2025**

**Deadline for Comments: 2/7/2025**

**US-395 Carson Valley Project  
Douglas County**

**Nevada Department of Transportation  
1263 South Stewart Street  
Carson City, NV 89712**

**Certification Action Number NV-401-24-052**

The purpose of this project is to perform roadway mill and overlay activities which requires hydraulic improvements within waters of the U.S. A class 400 riprap apron will be constructed at the outfalls to the existing 8' x 3' reinforced concrete box culvert and 10' x 4' reinforced box culvert at milepost DO 30.374 on US-395. An unnamed, relatively permanent, tributary to the Carson River will be impacted below the ordinary high watermark from excavation and grading for the installation of the riprap apron. As part of the culvert extension for the existing 10' x 5' culvert at milepost DO 0.998 on SR-759, the culvert will be extended 12' at the outlet and a new type II headwall will be installed at the outlet. This culvert conveys Heybourne Ditch which will be impacted below the ordinary high watermark from the culvert lengthening and type II headwall installation. This project will utilize a Clean Water Act Section 404 Nationwide Permit 3 (Maintenance) administered by the U.S. Army Corps of Engineers.

A 401 certification (or a waiver of certification) is required for any federal license or permit that authorizes activities that may result in any discharge into waters of the United States. Nevada Division of Environmental Protection is in receipt of a complete request for certification in compliance with Clean Water Act Section 401 Certification regulations which the U.S. Environmental Protection Agency promulgated in 2023, codified as 40 CFR 121.

The Administrator is evaluating whether the proposed activity will comply with applicable water quality requirements. Certification actions are valid for the duration of the federal license or permit (typically five years). Any conditions contained within the certification action become a condition of the federal license or permit.

Persons wishing to comment on the application for consideration by the Administrator in making a determination regarding the certification action should submit their comments or request a hearing in writing, emailed no later than 5:00 P.M. on 2/7/2025:

Bureau of Water Quality Planning  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701-5249  
[ndep401@ndep.nv.gov](mailto:ndep401@ndep.nv.gov)

The request for a hearing must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. All water quality-related comments or objections received within the thirty (30) day period will be considered in the formulation of final certification action regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty (30) days prior to the hearing date.

The applications, proposed permits, comments received, and other information are on file and may be copied, or copies may be obtained by writing to the above address or by contacting Zachary Carter, Bureau of Water Quality Planning, at (775) 687-9456 or [ndep401@ndep.nv.gov](mailto:ndep401@ndep.nv.gov). The public notice for this project can be viewed at the following website: <https://ndep.nv.gov/posts/category/water>.

Please bring the foregoing notice to the attention of all persons interested in this matter.